

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFW/B

Applicant: Julio C. Spinelli et al.

Title: CARDIAC RHYTHM MANAGEMENT SYSTEM WITH ARRHYTHMIA
CLASSIFICATION AND ELECTRODE SELECTION SYSTEM

Docket No.: 279.372US1

Filed: December 20, 2001

Examiner: Kennedy Schaetzle



Serial No.: 10/027,800 ✓

Due Date: May 9, 2005

Group Art Unit: 3762

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

☒ A return postcard.

☒ An Interview Summary and Comments on Statements of Reasons for Allowance (2 pgs.).

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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

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By: Suneel Arora

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Reg. No. 42,267

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Paula Suchy

Name

Paula Suchy

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(GENERAL)

S/N 10/027,800

FEB 28 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Julio C. Spincella et al.	Examiner:	Kennedy Schaetzle
Serial No.:	10/027,800	Group Art Unit:	3762
Filed:	December 20, 2001	Docket:	279.372US1
Title:	CARDIAC RHYTHM MANAGEMENT SYSTEM WITH ARRHYTHMIA CLASSIFICATION AND ELECTRODE SELECTION SYSTEM		

INTERVIEW SUMMARY AND COMMENTS ON STATEMENTS OF REASONS FOR
ALLOWANCE

Commissioner for Patents
MS: Issue Fee
P.O. Box 1450
Alexandria, VA 22313-1450

On February 4, 2005, Examiner Kennedy Schaetzle, telephoned the undersigned to discuss claims 1 and 30. Applicant agreed to amend claim 1 and 30 as stated in the Examiner's Amendment to place the application in condition for allowance. Applicant acknowledges the Notice of Allowance dated February 9, 2005.

In response to the portion of the Examiner's Interview Summary that states that the Examiner's amendment to claim 30 was deemed necessary to overcome the art of record, Applicant respectfully disagrees with this stated reason behind this amendment to claim 30. Applicant believes that the addition of the language "by at least three of" to claim 30 was a non-narrowing non-art-related clarification of language already present in claim 30 that recited "sequentially adjacent pairs of electrodes." It is Applicant's view that the existing "sequentially adjacent pairs of electrodes," (with its use of the plural form "pairs") inherently required at least two different pairs of electrodes. This, in turn, inherently requires at least three electrodes (for example, in a three electrode configuration, one electrode would be shared between the pairs of electrodes). Accordingly, because the added language "by at least three of" merely clarified existing claim language, Applicant respectfully submits that the addition of such language was clarifying, non-narrowing, and not required to overcome the art of record.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6951 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JULIO C. SPINELLI ET AL.

By their Representatives,

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Date February 25, 2005

By

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Name

Paula Suchy

Signature

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